**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 7114 OF 2004**

Smt. Anita Shankar Sutar ... Petitioner

V/s

The Addl. Commissioner,
Konkan Divn., Mumbai & ors. ... Respondents

Mr. V.Y. Jadhav for the petitioner.

Mr. R.M. Patne for Resp.Nos.1, 2 & 14.

**CORAM : S.U. KAMDAR, J.**

**DATED : 22ND NOV., 2005.**

**P.C.**:

1. In this petition challenge is to the disqualification order issued under Sec.14(1)(h) of the Bombay Gram-panchayat Act, 1958 for non-payment of the bills for a period of three months from the date of service by the Gram-panchayat.

2. In the present case, the bills are served on the son-in-law and female member of the petitioner. Bills are duly served and the findings are given by the Collector and Commissioner that the bills are duly served on the member and inspite of service the

petitioner has not paid the amount. The learned counsel for the petitioner states that the service is invalid under Sec. 129(3)(b) of the Bombay Village Panchayat Act, 1958. In my opinion, the contention is devoid of any merits because the provision of Sec. 129(3)(b) applies to any adult member or also a servant of the family. In that view of the matter, there is due service of the notice. In view of the concurrent findings of the Collector and the Commissioner, I do not find any merit for interference therewith in the writ jurisdiction under Art. 227 of the Constitution of India. Petition fails and accordingly stands dismissed. No order as to costs.

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